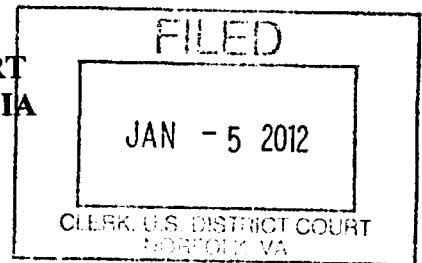


**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**



SHERI ELLEN HAMNIK,

Plaintiff,

v.

CIVIL ACTION NO. 2:11cv454

SENTARA MEDICAL GROUP,

Defendant.

ORDER

Before the Court is Defendant's Partial Motion to Dismiss Count IV of the complaint. On October 5, 2011, this matter was referred to Honorable United States Magistrate Judge Douglas E. Miller ("Magistrate Judge Miller") pursuant to the provisions of 28 U.S.C. Section 636(b)(1)(B) and Rule 72(b) of the Federal Rules of Civil Procedure for a report and recommendation.

On November 10, 2011, Magistrate Judge Miller filed his report recommending that Defendant's Motion be GRANTED and Count IV be DISMISSED. By copy of the report, each party was advised of their right to file written objections to the findings and recommendations made by the Magistrate Judge within 14 days from the date of the mailing of Magistrate Judge Miller's report. The Court has received no objections to the report and the time for filing the same has expired.


The Court does hereby accept the findings and recommendations set forth in the report of Magistrate Judge Miller.

Accordingly, it is **ORDERED** that Defendant's Partial Motion to Dismiss is **GRANTED** and Count IV of the complaint is hereby **DISMISSED**.

The Clerk shall mail a copy of this final Order to counsel for both parties.

IT IS SO ORDERED.

Norfolk, Virginia
January 4, 2012



Raymond A. Jackson
United States District Judge